

MINUTES OF MEETING  
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION  
March 31, 2022  
10:00 a.m. by Phone  
495 West State Street  
Trenton, New Jersey

The meeting was called to order by Chair Joel M. Weisblatt.

Present were:

Commissioners:

John Bonanni  
David Jones  
Pasquale Papero  
Paula Voos

Also present were:

Christine Lucarelli-Carneiro, General Counsel  
John Boppert, Deputy General Counsel  
Frank Kanther, Deputy General Counsel  
Ramiro Perez, Deputy General Counsel  
Grace Xanthacos, who acted as Stenographer

At the commencement of the meeting, Chair Weisblatt, pursuant to Section 5 of the Open Public Meetings Act, entered this announcement into the minutes of the meeting:

Adequate notice has been provided by the dissemination of a written "Annual Notice of Meeting." On December 10, 2020 a copy of such notice was:

- (a) prominently posted in a public place at the offices of the Public Employment Relations Commission;
- (b) e-mailed to the business offices of the Trenton Times and the Courier Post;
- (c) posted on the agency's web site.

Furthermore on March 24, 2022, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

The first item for consideration was the minutes of the February 24, 2022 meeting. Commissioner Papero moved the minutes and Commissioner Voos seconded the motion. The motion to adopt the minutes was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones, Papero and Voos).

The Chair initially reported that the Agency just received an important decision from the Appellate Division concerning the Agency's efforts to enforce our orders with which the City of Newark had refused to comply. In neither of the cases had the City exhausted its avenues for review; in one it filed no exceptions to a Hearing Examiner's report and in the other it did not file an appeal of the Commission's decision. The court's opinion was strong and most appropriate, reflecting the excellent presentation by the Agency's General Counsel team. The court decision will be sent in advance of next month's Commission meeting and the Counsel's report will address the decision and its significance in detail then.

The Chair also reported that the Agency is already making adjustments in order to handle the changes set out in the statutory revisions of the Act. Of note is the need to process 5.4a(3) charges in an expedited system; we are prepared for that change but our work is complicated by the parties that enumerate all subsections of 5.4a violations even when they do not allege facts supporting many of them. It presents us with an interim

step to determine the viability of the 5.4a(3) claim to be sure the statutory time constraints are met by the Agency.

General Counsel Lucarelli-Carneiro commented on two OPRA related cases recently issued by the Supreme Court and an Appellate Division case involving substantive arbitrability and a scope of negotiations determination.

The first case for consideration was Borough of Ho-Ho-Kus and PBA Local 353, Docket No. SN-2022-014. Commissioner Voos moved the draft decision and Commissioner Bonanni seconded the motion. A discussion ensued. The motion to adopt the draft decision was approved by a vote of four in favor (Chair Weisblatt, Commissioners Bonanni, Papero and Voos). Commissioner Jones did not vote either yes or no for the draft as presented.

The next case for consideration was Borough of Point Pleasant Beach and Teamsters Local 469, Docket No. SN-2022-016. Commissioner Bonanni moved the draft decision and Commissioner Voos seconded the motion. Commissioner Jones is recused from voting on cases involving the Borough of Point Pleasant Beach. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Papero and Voos).

The next case for consideration was Middlesex County Board of Social Services and CWA Local 1032, Docket No. SN-2022-015. Commissioner Bonanni moved the draft decision and Commissioner

Papero seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones, Papero and Voos).

The next case for consideration was International Federation of Professional and Technical Engineers, Local 194 and Klarida Papajani, Docket Nos. CI-2015-021 and CI-2015-026. Commissioner Jones moved the draft decision and Commissioner Papero seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones, Papero and Voos).

The next case for consideration was City of Brigantine and International Brotherhood of Teamsters Local 331, Docket No. SN-2022-020. Commissioner Bonanni moved the draft decision and Commissioner Voos seconded the motion. A discussion ensued. The motion to adopt the draft decision was approved by a vote of four in favor (Chair Weisblatt, Commissioners Bonanni, Papero and Voos). Commissioner Jones did not vote either yes or no for the draft presented.

The next case for consideration was New Jersey Transit Bus Operations Inc., and Amalgamated Transit Union, New Jersey State Council, Docket No. SN-2022-021. Commissioner Voos moved the draft decision and Commissioner Bonanni seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones, Papero and Voos).

The next item for consideration was a revision of the August Commission meeting date from August 25, 2022 to August 18, 2022. Commissioner Papero made a motion to adopt the revision and Commissioner Bonanni seconded the motion. The motion to revise the August 2022 Commission meeting date to August 18, 2022 was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones, Papero and Voos).

The Chair asked for a motion to adjourn the meeting. Commissioner Papero made a motion to adjourn the meeting and Commissioner Bonanni seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones, Papero and Voos). The meeting was then adjourned.

The next meeting is scheduled to be held on Thursday, April 28, 2022.